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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER		
<b>UGRF125155 (new) -- 7700-002-II (old)</b>		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
10/520,833		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/US03/22011	July 10, 2003	July 13, 2002
TITLE OF INVENTION		
<i>MYCOPLASMA GALLISEPTICUM</i> FORMULATION		
APPLICANT(S) FOR DO/EO/US		
Stanley H. Kleven and Naola Ferguson		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☐ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ 4. The US has been elected (Article 31).
- ☐ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☐ a. is attached hereto (required only if not communicated by the International Bureau).
  - ☐ b. has been communicated by the International Bureau.
  - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
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- \_\_\_\_\_ 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- \_\_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been communicated by the International Bureau.
- \_\_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- \_\_\_\_\_ d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- X   9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- X   11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. A copy of the listed publication is enclosed for the Examiner's use.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- \_\_\_\_\_ 13. A preliminary amendment.
- \_\_\_\_\_ 14. An Application Data Sheet under 37 C.F.R. 1.76..
- \_\_\_\_\_ 15. A substitute specification.
- \_\_\_\_\_ 16. A power of attorney and/or change of address letter.
- X   17. A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 C.F.R. 1.821 – 1.825. A sequence listing in printed and computer readable formats was filed with the application on January 6, 2005. The paper and computer readable copies of the sequences of the sequence listing are the same and do not contain new matter. Entry of the sequence listing into the application is requested.
- \_\_\_\_\_ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X   20. Other items or information: A copy of the 371 Formalities Letter.

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The following fees are submitted:.				<b>CALCULATIONS</b>	
21. _____ a) Basic national fee..... \$300.00				\$	
22. _____ b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 All other situations.....\$200.00				\$	
23. _____ c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....\$400.00 All other situations.....\$500.00				\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					
_____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250.00</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/50=		x \$250	\$	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x \$50.00	\$	
Independent claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$130.00	
<u> X </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$65.00	
<b>SUBTOTAL =</b>				\$65.00	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$65.00	

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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		\$
+ <b>TOTAL FEES ENCLOSED =</b>		<b>\$65.00</b>
	Amount to be: refunded	\$
	Amount to be charged:	\$

- X   a. Check No.   165120   in the amount of \$65.00 to cover the above fees is enclosed.
- X   b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

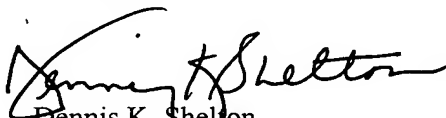
SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Dennis K. Shelton  
 CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
 1420 Fifth Avenue  
 Suite 2800  
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Respectfully submitted,


CHRISTENSEN O'CONNOR  
 JOHNSON KINDNESS<sup>PLLC</sup>

  
 Dennis K. Shelton  
 Registration No. 26,997  
 Direct Dial No. 206.695.1718

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 566976072 US  
 Date of Deposit: July 29, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen  
 (Typed or printed name of person mailing paper or fee)  
  
 (Signature of person mailing paper or fee)

DKS:cj

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

DK 8

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/520,833	Stanley H Kleven	7700-002-II UGRF-1-25155

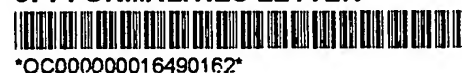
Howard A MacCord, Jr  
 MacCord Mason  
 Post Office Box 2974  
 Greensboro, NC 27402

PROCESSED  
 DOCKETING  
 CLH  
 JUL 19 2005

CHRISTENSEN, O'CONNOR  
 JOHNSON KINDNESS PLLC

INTERNATIONAL APPLICATION NO.	
PCT/US03/22011	
IA. FILING DATE	PRIORITY DATE
07/10/2003	07/13/2002

CONFIRMATION NO. 9350  
 371 FORMALITIES LETTER



Date Mailed: 07/11/2005 **DOCKETED**

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/06/2005
- Copy of the International Search Report filed on 01/06/2005
- Biochemical Sequence Diskette filed on 01/06/2005
- Biochemical Sequence Listing filed on 01/06/2005
- Copy of references cited in ISR filed on 01/06/2005
- U.S. Basic National Fees filed on 01/06/2005
- Priority Documents filed on 01/06/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- This application does not contain a statement that the content of the sequence listing information recorded

in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,833	PCT/US03/22011	7700-002-11